

RFP-07-05-SID
NOTICE TO INTERESTED PARTIES
IMPORTANT PLEASE READ BEFORE DOWNLOADING

This solicitation is provided to you for information purposes and is not an official document unless you register your company.

If interested in responding to this solicitation, you may choose to submit your offer on the downloaded document provided you register your company by phone, fax or email for this specific solicitation.

To register your company, please provide the information specified under "Registration". If you do not register your company, any applicable Addenda will not be sent to you, and your offer will be automatically rejected and not considered for award.

REGISTRATION:

Phone No.: (808) 586-9312
FAX No.: (808) 586-2526
E-Mail Address: bids@dbedt.hawaii.gov

Provide the following information:

⊕ Name of Company	⊕ Mailing Address
⊕ Name of Contact Person	⊕ Telephone Number
⊕ Facsimile Number	⊕ Solicitation Number

THERE ARE TWO WAYS TO RECEIVE A COPY OF THIS SOLICITATION:

1. Request a copy of this Solicitation to be mailed or delivered:

Phone No.: (808) 586-9312
FAX No.: (808) 586-2526
E-Mail Address: bids@dbedt.hawaii.gov

Provide the following information:

⊕ Name of Company	⊕ Mailing Address
⊕ Name of Contact Person	⊕ Telephone Number
⊕ Facsimile Number	⊕ Solicitation Number
⊕ Fedex (or equivalent) account number (document will be sent by U.S. Postal Service first class mail if this is not provided)	

2. Download this solicitation from the following pages provided you register your company as stated above.

STATE OF HAWAII

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM
STRATEGIC INDUSTRIES DIVISION

TECHNICAL ASSISTANCE FOR COMMISSIONING AND RETROCOMMISSIONING

SOLICITATION No. RFP-07-05-SID

Sealed proposals will be received up to and opened at 11:00 a.m. (HST)

on
October 20, 2006

in the Administrative Services Office/Contracts, No. 1 Capitol District, 250 S. Hotel St., 5th Floor, Room 504, Honolulu, Hawaii, 96813.

Questions relating to this bid solicitation may be directed to Ms. Eileen Harada, phone (808) 586-9312 or facsimile (808) 586-2526.

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REQUEST FOR PROPOSALS

The Department of Business, Economic Development, and Tourism
Strategic Industries Division

Solicitation No. RFP-07-05-SID

TECHNICAL ASSISTANCE FOR COMMISSIONING AND RETROCOMMISSIONING

Pursuant to the Hawaii Public Procurement Code, Chapter 103D, Hawaii Revised Statutes, the State of Hawaii Department of Business, Economic Development, and Tourism (DBEDT) “Strategic Industries Division (SID)” is soliciting proposals for **TECHNICAL ASSISTANCE FOR COMMISSIONING AND RETROCOMMISSIONING**

Project Description:

The scope of this project consists of providing technical assistance to the Energy Branch, SID, DBEDT, and its clients to better plan, implement, and administer the commissioning and retrocommissioning, process for buildings.

Requirements:

All written questions must be submitted to the DBEDT/Administrative Services Office/Contracts by 3:00 p.m., Hawaii Standard Time (HST) on October 3, 2006.

Proposals shall be received up to 11:00 a.m. HST on October 20, 2006 in the Administrative Services Office/Contract, DBEDT, State of Hawaii, No. 1 Capitol District, 5th Floor, Room 504, 250 South Hotel Street, Honolulu, Hawaii, 96813. Proposal documents may be obtained from said office between the hours of 8:30 a.m. to 11:30 a.m. and 1:30 p.m. to 4:00 p.m., Monday through Friday, except for STATE holidays or you may download from www.hawaii.gov/dbedt/infor/bidfiles or www4.state.hi.us/bidapps. All interested parties must register with said office at the time a proposal document is requested. **PLEASE NOTE: REGISTRATION IS MANDATORY.**

All proposals must comply with General Terms and Conditions (GTC) dated April 15, 1996, and this RFP. The GTC for Goods and Services is available at the DBEDT website www.hawaii.gov/dbedt/info/bidfiles. Offerors are encouraged to carefully read the entire proposal documents. Proposals must be submitted on DBEDT proposal forms **with an original signature. If possible, blue ink is preferred.**

All proposals must comply with the Hawaii Administrative Rules (HAR) Section 3-122-112 (Exhibit D). Offeror is advised that if awarded a contract under this solicitation, Offeror shall, upon award of the contract, furnish proof of compliance with the requirements of § 103D-310(c), HRS:

- 1) Chapter 237, tax clearance;
- 2) Chapter 383, unemployment insurance;
- 3) Chapter 386, workers' compensation;
- 4) Chapter 392, temporary disability insurance;
- 5) Chapter 393, prepaid health care; and
- 6) One of the following:
 - a. Be registered and incorporated or organized under the laws of the State, hereinafter referred to as a "Hawaii business"; or
 - b. Be registered to do business in the State, hereinafter referred to as a "compliant non-Hawaii business".

Eileen Harada for
Theodore E. Liu, Director
Department of Business, Economic Development, and
Tourism, State of Hawaii

1. **ALL PROPOSALS MUST BE SUBMITTED ON DBEDT PROPOSAL FORMS. FAILURE TO SUBMIT ON SUCH FORMS MAY RESULT IN DISQUALIFICATION.**
2. **ALL INTERESTED PARTIES MUST REGISTER WITH THE DBEDT ADMINISTRATIVE SERVICES/CONTRACTS OFFICE. REGISTRATION SHALL CONSIST OF CONTACTING THAT OFFICE TO REQUEST A COPY OF THE SOLICITATION VIA MAIL, DOCUMENT DELIVERY SERVICE, OR DOWNLOADING FROM THE INTERNET.**
3. **ALL WRITTEN QUESTIONS MUST BE RECEIVED BY DBEDT ADMINISTRATIVE SERVICES OFFICE/ CONTRACTS BY THE DATE INDICATED IN THE SIGNIFICANT DATE SECTION.**
4. **ALL PROPOSALS MUST BE RECEIVED BY THE DBEDT ADMINISTRATIVE SERVICES/CONTRACTS OFFICE BY THE DATE AND TIME INDICATED IN THE SIGNIFICANT DATE SECTION.**
5. **PROPOSAL SUBMISSIONS MUST INCLUDE AN ORIGINAL SIGNATURE AND SEVEN (7) COPIES. FAILURE TO SUBMIT SUCH ORIGINAL MAY RESULT IN DISQUALIFICATION. IF POSSIBLE, AN ORIGINAL SIGNATURE IN BLUE INK IS PREFERRED.**
6. **OFFERORS ARE CAUTIONED TO MAKE PRIOR ARRANGEMENTS TO ENSURE DELIVERY BY THE PROPOSAL DUE DATE.**

Proposal and registration forms are available at the:

**Department of Business, Economic Development, and Tourism
Administrative Services Office / Contracts
No. 1 Capitol District
250 So. Hotel Street, 5th Floor, Room 504
Honolulu, Hawaii 96813
www.hawaii.gov/dbedt/info/bidfiles
Contact person: Eileen Harada
808-586-9312**

STATE OF HAWAII

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM
STRATEGIC INDUSTRIES DIVISION

TECHNICAL ASSISTANCE FOR COMMISSIONING AND RETROCOMMISSIONING

SOLICITATION No. RFP-07-05-SID

**INTRODUCTION, SIGNIFICANT DATES, AND
OFFICIAL CONTACT PERSON**

INTRODUCTION, SIGNIFICANT DATES AND OFFICIAL CONTACT PERSON

A. INTRODUCTION

The DBEDT, SID also referred to as STATE in this solicitation, under its State Energy Program, seeks proposals from qualified organizations interested in providing technical assistance to the STATE and its client agencies in implementing commissioning for new buildings and retrocommissioning for existing buildings.

B. SIGNIFICANT DATES

- | | |
|--------------------------------------------------------------------------|-------------------------------------|
| - Advertisement | September 15, 2006 |
| - Issuance of Request for Proposal | September 15, 2006 |
| - Deadline for Offeror's Written Questions | October 3, 2006
by 3:00 p.m. HST |
| - Response to Offeror's Questions and Addenda Deadline
(if necessary) | October 6, 2006 |
| - Sealed Proposal Due, 11:00 a.m., HST, | October 20, 2006 |

C. OFFICIAL CONTACT PERSON

The official contact person for all communication regarding the RFP is:

Eileen Harada
Department of Business, Economic Development, and Tourism
Administrative Services Office/Contracts
No. 1 Capitol District
250 S. Hotel St., 5th Floor, Room 504
Honolulu, Hawaii 96813
Telephone: (808) 586-9312
Email: bids@dbedt.hawaii.gov

Official responses to Offerors' official questions shall be made through written addenda issued to all prospective Offerors who have registered with DBEDT. Offerors' attention is directed to the deadlines for questions and addenda stated above.

STATE OF HAWAII
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM
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TECHNICAL ASSISTANCE FOR COMMISSIONING AND RETROCOMMISSIONING

SOLICITATION No. RFP-07-05-SID

STATEMENT OF WORK

STATEMENT OF WORK

A. OBJECTIVES

The objective of this project is to provide technical assistance to the STATE and its clients to better plan, implement, and administer the total commissioning and retrocommissioning processes for buildings. The Offeror may assist in development and coordination of commissioning specifications and participate in the design review process. The Offeror may review and make recommendations for the design, construction, acceptance, and warranty phases of commissioning and retrocommissioning projects of State agencies and encourage adoption of standardized plans, designs, commissioning specifications, controls, pre-functional checklists, and other elements of the commissioning and retrocommissioning process to lower costs to participating agencies.

B. SCOPE OF WORK – The CONTRACTOR shall provide, in a proper and satisfactory manner as determined by the State, all of the following services, as described herein. CONTRACTOR may be required to begin at the early design stages of the project and stay with the project through completion. CONTRACTOR may also be required to check the systems periodically for one year after completion. The CONTRACTOR shall:

TASK 1. Advise STATE on ways to better plan, implement, and administer the commissioning and retrocommissioning processes for buildings, including but not limited to:

- a. Assist Building Owners/Managers to determine current building operating intent;
- b. Assist in development and coordination of commissioning specifications and participate in the design review process;
- c. Review and make recommendations for the planning, design, construction, acceptance, and warranty phases of commissioning and retrocommissioning projects of State agencies;
- d. Review and recommend standardized documents such as commissioning/retrocommissioning/recommissioning plans, design, commissioning specifications, controls, pre-functional checklists, functional test procedures;
- e. Advise State Facilities on commissioning/retrocommissioning/recommissioning plans and projects.

Advice could include, but not be limited to, whether there are multi-year comprehensive building operation plans that meet the requirements of total building commissioning, total building usage, and address the cooling system, humidity control system, lighting system, safety systems, building automation controls, and building envelope as well as include provisions for testing all building systems before and after repairs or upgrades;

- f. Work with the STATE to resolve identified issues; and
- g. Assist, as requested by STATE, in addressing other tasks related to planning, implementing, and overseeing commissioning and retrocommissioning activities.

TASK 2. DELIVERABLES. Provide written reports, evaluations, and recommendations for specific projects for STATE approval, to ensure that a systematic commissioning/retrocommissioning process has been followed that assures that all building systems perform interactively in accordance with design documents and intent and owners' operational needs, including training, and to include, but not be limited to:

- a. Written evaluations of specific commissioning plans, to include, but not be limited to, installation inspections, testing and verification of test results, results of Operations and Maintenance (O&M) staff training, O&M manuals, systems manuals, and final commissioning/retrocommissioning/recommissioning reports;
- b. Specific project reports, documents, evaluations, case studies, recommendations, and assessments;
- c. Data collection and analysis for specific projects, project profiles, and metrics for selected buildings; and
- d. Develop and prepare training materials.

TASK 3. TASK ORDERS. At the request of STATE, submit Task Orders for selected deliverable Tasks or Subtasks including, but not limited to, a work plan, planned activities, performance schedule, budget, and work product.

TASK 4. REPORTS. Provide project narrative, in-kind and financial status reports, in a format approved by STATE on a quarterly, semi-annual, or annual basis as determined by STATE. All reports shall be submitted in hard copy and electronic copy, preferably MS Word or Excel.

C. TIME SCHEDULE

Services shall begin upon the effective date of the contract and shall be completed within 24 months. Unless sooner terminated as herein provided by the General Conditions, this Agreement may be extended by the STATE or by CONTRACTOR request. The CONTRACTOR shall submit any extension request in writing for STATE approval a minimum of sixty (60) calendar days prior to the termination of the Agreement. Said request shall provide detailed reasons for the extension. If the STATE approves the extension request, a supplemental agreement shall be executed by both parties in accordance with the Attorney General's General Conditions. The CONTRACTOR shall not be entitled to any additional compensation to complete the work described in the Agreement.

D. COMPENSATION

1. The award shall be made on a firm, fixed fee, including all taxes.
2. Only Proposals priced at or below \$175,000 shall be considered.
3. Offeror shall provide at least \$20,000 in in-kind cost share; sources and amounts of cost shares shall be clearly specified in the Offeror's budget.
4. The proposal shall be priced and shall include a budget for all tasks in the "Statement of Work," Paragraph B., "Scope of Work".
5. Payments shall be made upon submission of an original invoice and in accordance with predetermined progress payments contingent on STATE's approval of specified deliverables.
6. The Offeror's budget for the project shall be prepared by category, detailing firm-fixed hourly rates which shall include all benefits, as applicable to appropriate personnel classifications. Overhead, travel, printing, other costs and taxes shall be accounted for separately. Benefits, overhead and profit rates shall be provided. A separate budget shall be prepared for in-kind/cost share support by category and task.

STATE OF HAWAII
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM
STRATEGIC INDUSTRIES DIVISION

TECHNICAL ASSISTANCE FOR COMMISSIONING AND RETROCOMMISSIONING

SOLICITATION No. RFP-07-05-SID

EVALUATION CRITERIA

EVALUATION CRITERIA –

A. MINIMUM CRITERIA FOR PROPOSAL RESPONSIVENESS

1. Unfavorable references may be justification for rejection of a proposal.
2. The STATE reserves the right to use whatever resources are available to the STATE to seek additional references in addition to those submitted in the proposal.
3. Submitting incomplete proposal documents or failure to sign the proposal documents may be justification for rejection of a proposal.
4. Failure to respond or comply with the specifications provided in the Solicitation or the requirements provided by statutes or law may be justification for rejection of a proposal.
5. Applicable professional license in architecture and/or engineering is required and firms interested must provide evidence and indicate the State in which the proposed staff holds a professional license.
6. In accordance with Act 96 (House Bill 2175 CD1, twenty-third Legislature, 2006, to the extent possible STATE intends to design and construct buildings meeting the Leadership in Energy and Environmental Design (LEED) silver or two green globes rating system or another comparable state-approved nationally recognized, and consensus-based guideline, standard, or system, except when the guideline, standard, or system interferes or conflicts with the use of the building or facility as an emergency shelter. Since there is a possibility that State facilities may choose to be LEED Existing Buildings or other rating system recognized, selected firms may need to understand the LEED requirements associated with commissioning and retrocommissioning and have LEED accredited professionals available as project managers.

B. QUALIFICATIONS/EXPERIENCE

1. Resume including qualifications of each staff to be used on project should be submitted: Professional background; membership or affiliation with any type of building commissioning association; years of hands-on experience performing commissioning activities in mechanical, electrical, and building envelope; other similar information, any building commissioning certification(s); education, training. Experience in writing commissioning specifications, test procedures, and commissioning plans. Experience in verification techniques, functional performance testing, system equipment, and O&M knowledge.
2. Relevant experience of Offeror: Description of commissioning projects in each of

the following categories: new commissioning, retrocommissioning, re-commissioning; LEED; types of buildings and number of projects for each category; experience reviewing and establishing commissioning criteria; other similar information.

3. Previous experience: Technical and management expertise in total building commissioning. The Project Manager will have acted as the principal Commissioning Agent (CA) for at least three projects of over 50,000 square feet in the past 3 years. The Firm shall have experience in total building commissioning, the design and commissioning of HVAC, building automation systems and shall have completed commissioning/retrocommissioning on two LEED projects.
4. A representative sample of a commissioning and/or retrocommissioning plan prepared by Offeror shall be attached.

c. PROPOSAL EVALUATION CRITERIA

An evaluation committee shall be appointed by the Director. The committee shall evaluate responsive proposals in accordance with the section entitled "Proposal Requirements" and based on the following general criteria:

	Criteria	Total Possible Points	Breakdown
1.	Qualifications/Experience	120	
	a. Staff Resumes		20
	b. Relevant Experience of Offeror		40
	c. Previous Experience		40
	d. Sample commissioning and/or retrocommissioning plan		20
2.	Proposal	50	
	a. Approach and Comprehensiveness –Approach to carrying out Scope of Work; comprehensiveness of Proposal		30
	b. Identification of roles key team members play for specific tasks performed		20
3.	Budget	30	
	a. Demonstrated ability to meet project objectives within budget		20
	b. Offeror's resources that are being offered as in-kind/cost sharing to support the proposed activities as percent of total project cost		10
	TOTAL POSSIBLE:	200 POINTS	

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SOLICITATION No. RFP-07-05-SID

SPECIAL PROVISIONS

SPECIAL PROVISIONS –

A. OFFICIAL CONTACT PERSON

For The Purpose of this solicitation, the official contact person for this solicitation is Eileen Harada, (808) 586-9312.

B. AUTHORITY

This RFP is issued under the provisions of chapter 103D, and Subchapters 3-122, HAR. All Offerors are charged with presumptive knowledge of all requirements of the cited authorities. Submission of a valid executed proposal by any Offeror shall constitute admission of such acknowledgment on the part of such Offeror.

C. PROPOSALS MUST BE PRICED.

D. BONDS: Bid, performance, and payment bonds are not required for this solicitation.

E. GENERAL TERMS AND CONDITIONS (GTC), ADDITIONS, AMENDMENTS AND CLARIFICATIONS TO THE GTC

1. GTC, dated 4/15/96, included by reference, and copies are available at the DBEDT, Administrative Services Office/Contracts Office and on the internet at <http://www.hawaii.gov/dbedt/info/bidfiles>, "Goods and Services".
2. Section 2.9 and 2.12 of the general terms and conditions which apply specifically to the invitation to bid method of selection are not applicable to this solicitation.
3. **Additions to the GTC:**

Approvals. Any agreement arising out of this offer shall be subject to the approval of the Department of the Attorney General as to form, and is subject to all further approvals, including the approval of the Governor, required by statute, regulations, rule, order, or other directive.

Cancellation of Solicitations and Rejection of Offers. The solicitation may be cancelled or the offers may be rejected, in whole or in part, when in the best interest of the purchasing agency, as provided in Section 3-122-95 through 3-122-97, HAR.

Confidentiality of Material. All materials given to or made available to the Contractor by virtue of this contract, which is identified as proprietary, will be safeguarded by the Contractor and shall not be disclosed to any individual or organization without the prior written approval of the State.

All information, data, or other material provided by the Offeror or the CONTRACTOR to the State shall be subject to the Uniform Information Practices Act, Chapter 92F, HRS. The Offeror shall designate in writing to the Procurement Officer those portions of its unpriced offer or any subsequent submittal that are trade secrets or other proprietary data that the Offeror desires to remain confidential, subject to Section 3-122-58, HAR, in the case of an RFP, or Section 3-122-30, HAR, in the case of an IFB. The Offeror shall submit the material designated as confidential in such manner that the material is readily separable from the offer in order to facilitate inspection of the non-confidential portion of the offer.

Price is not confidential and will not be withheld. In addition, in the case of an IFB, makes and models, catalogue numbers of items offered, delivery, and terms of payment shall be publicly available at the time of opening regardless of any designation to the contrary.

If a request is made to inspect the confidential, or proprietary material, the inspection shall be subject to written determination by the Office of the Attorney General in accordance with Chapter 92F, HRS. If it is determined that the material designated as confidential is subject to disclosure, the material shall be open to public inspection, unless the Offeror protests under Chapter 3-126, HAR. If the request to inspect the confidential or proprietary material is denied, the decision may be appealed to the Office of Information Practices in accordance with Section 92F-15.5, HRS.

Nondiscrimination. No person performing work under this Agreement, including any subcontractor, employee, or agency of the CONTRACTOR, shall engage in any discrimination that is prohibited by any applicable federal, state or county law.

Records Retention. The Contractor and any subcontractors shall maintain the books and records that relate to the Agreement and any cost or pricing data for three (3) years.

4. Amendments to the GTC:

Subsection 2.1 Competency of Offeror. Paragraph one is rescinded and replaced with the following:

“Prospective Offeror must be capable of performing the work for which offers are being called. Either before or after the deadline for an offer, the purchasing agency may require Offeror to submit answers to questions regarding facilities, equipment, experience, personnel, financial status or any other factors relating to the ability of the Offeror to furnish satisfactorily the goods or services being

solicited by the STATE. Any such inquiries shall be made and replied to in writing; replies shall be submitted over the signatures of the person who signs the offer. Any Offeror who refuses to answer such inquiries will be considered non-responsive.”

Subsection 2.5 Preparation of Offer. Paragraph four is rescinded and replaced with the following:

“An Offeror may submit only one offer in response to a solicitation. If an Offeror submits more than one offer in response to a solicitation, then all such offers shall be rejected. Similarly, an Offeror may submit only one offer for each line item (if any) of a solicitation. If an Offeror submits more than one offer per line item, then all offers for that line item shall be rejected.”

5. Clarifications to the GTC:

Subsection 2.7 Certification of Offeror concerning Wages, Hours and Working Conditions of Employees Supplying Services. Section 103-55, HRS, amended by Act 149, SLH 1999, now applies to service contracts in excess of \$25,000 and also excludes professional personnel.

F. SPECIAL CONDITIONS:

1. All work and products developed shall conform to all applicable City and County, State, and Federal rules and regulations.
2. The CONTRACTOR must assure and be responsible for the continuity of service activities in the event of staff illness, medical emergencies, vacancies, or other situations that result in program resources that are less than proposed and contracted for. The CONTRACTOR must not require nor depend on the STATE’s staff to provide services activities in the event that program resources are not available due to the above situations.
3. When a disagreement arises between the Offeror and the STATE in regards to the performance of specific service requirements within contract specifications, the wishes of the STATE shall prevail. Failure on the part of the CONTRACTOR to comply shall be deemed cause for corrective action and subject to contractual remedies.
4. DBEDT reserves the right to reduce, amend, or expand the “Scope of Work.”

G. REQUIRED REVIEW:

Prospective Offeror shall carefully review this solicitation. Comments and questions shall be made in writing and received prior to the Deadline for Written Questions date indicated in the Significant Dates section of the RFP. This shall allow issuance of any necessary amendments to the RFP.

H. CANCELLATION OF RFP AND PROPOSAL REJECTION:

The STATE reserves the right to cancel this RFP and to reject any and all proposals in whole or in part when it is determined to be in the best interest of the STATE, as provided in Section 3-122-95 through 3-122-97, HAR.

I. PROPOSAL OPENING:

Proposals shall not be opened publicly, but shall be opened in the presence of two or more procurement officials. The register of proposals and Offeror's proposals shall be open to public inspection upon posting of the award.

All proposals and other material submitted by Offerors become the property of the STATE and may be returned only at the STATE's option.

J. METHOD OF AWARD AND CONTRACTOR REQUIREMENTS:

The successful Offeror shall be awarded an "Contract for goods or services based upon competitive sealed proposals" contract.

Upon award of the contract, the successful Offeror shall furnish the Procurement Officer's Designated Representative, with proof of compliance with the following requirements of Section 103D-310(c), HRS:

1. **HRS Chapter 237 tax clearance requirement for award and final payment.**
Instructions are as follows:

The Awardee(s) shall be required to obtain a current tax clearance from the State of Hawaii Department of Taxation and the Internal Revenue Service prior to entering into a contract with the State and again to receive final payment.

It is recommended that the "Tax Clearance Application," Form A-6, attached, be mailed to a DOTAX district office as soon as possible, as the process may take 21 calendar days before you receive a tax clearance. We also recommend that extra-certified copies be requested, if responding to several competitive solicitations. Extra-certified copies may be requested by writing or typing the number of copies next to the check box 3.c. on the application form. Offerors who repeatedly

submit bids or proposals for State or county contracts should file frequently for a tax clearance.

Pursuant to §103D-328, HRS, successful Offeror shall be required to submit a tax clearance certificate issued by the Hawaii State Department of Taxation (DOTAX) and the Internal Revenue Service (IRS). The certificate shall have an original green certified copy stamp, and shall be valid for six (6) months from the most recent approval stamp date on the certificate. It must be valid on the date it is received by the purchasing agency.

The tax clearance certificate shall be obtained on the State of Hawaii, DOTAX *TAX CLEARANCE APPLICATION* Form A-6 (Rev. 2003) which is available at the DOTAX and IRS offices in the State of Hawaii or the DOTAX website, and by mail or fax:

DOTAX Website (Forms & Information):

<http://www.state.hi.us/tax/alphalist.html#a>

DOTAX Forms by Fax/Mail:

(808) 587-7572

1-800-222-7572

Completed tax clearance applications may be mailed, faxed, or submitted in person to the Department of Taxation, Taxpayer Services Branch, to the address listed on the application. Facsimile numbers are:

DOTAX: (808) 587-1488

IRS: (808) 539-1573

The application for the clearance is the responsibility of the Offeror, and must be submitted directly to the DOTAX or IRS and not to the purchasing agency.

2. **HRS Chapters 383 (Unemployment Insurance), 386 (Workers' Compensation), 392 (Temporary Disability Insurance), and 393 (Prepaid Health Care) requirements for award.** Instructions are as follows:

Pursuant to §103D-310(c), HRS, successful Offeror shall be required to submit an approved certificate of compliance issued by the Hawaii State Department of Labor and Industrial Relations (DLIR). The certificate is valid for six (6) months from the date of issue and must be valid on the date it is received by the purchasing agency. A photocopy of the certificate is acceptable to the purchasing agency.

The certificate of compliance shall be obtained on the State of Hawaii, DLIR *APPLICATION FOR CERTIFICATE OF COMPLIANCE WITH SECTION 3-122-112, HAR*, Form LIR#27 which is available at www.dlir.state.hi.us/LIR#27. The

DLIR will return the form to the Offeror who in turn shall submit it to the purchasing agency.

The application for the certificate is the responsibility of the Offeror, and must be submitted directly to the DLIR and not to the purchasing agency. The DLIR will return the form to the Offeror who in turn shall submit to the purchasing agency.

Compliance with Section 103D-310 (c)(1) and (2), HRS. Pursuant to section 3-122-112, HAR, the Offeror shall be required to submit a *CERTIFICATE OF GOOD STANDING* (Certificate) issued by the State of Hawaii Department of Commerce and Consumer Affairs Business Registration Division (BREG). The Certificate is valid for six months from date of issue and must be valid on the date it is received by the purchasing agency. A photocopy of the certificate is acceptable to the purchasing agency.

Hawaii business. A business entity referred to as a “Hawaii business”, is registered and incorporated or organized under the laws of the State of Hawaii.

Compliant non-Hawaii business. A business entity referred to as a “compliant non-Hawaii business,” is not incorporated or organized under the laws of the State of Hawaii but is registered to do business in the State.

To obtain the Certificate, the Offeror must first be registered with BREG. A sole proprietorship, however, is not required to register with the BREG, and therefore not required to submit the certificate.

Online business registration and the Certificate are available at www.BusinessRegistrations.com. To register or to obtain a “Certificate of Good Standing” by phone, call (808) 586-2727 (M-F 7:45 to 4:30 HST). Offerors are advised that there are costs associated with registering and obtaining a “Certificate of Good Standing” from the DCCA.

3. **Obtaining Certificates through Hawaii Compliance Express (HCE).**

Alternately, instead of separate applying for the above certificates at various State or federal agencies, the successful Offeror may chose to use the, Hawaii Compliance Express (HCE), which allows businesses to register online through a simple wizard interface at <http://vendors.ehawaii.gov/hce/splash/welcome.html>. The HCE provides the vendor a “Certificate of Vendor Compliance” with current compliance status as of the issuance date, acceptable for both contracting purposes and final payment. Vendors that elect to use the new HCE services will be required to pay an annual fee of \$15.00 to the Hawaii Information Consortium, LLC.

4. **Timely Submission of all Certificates.** The above certificates should be applied for and submitted to the purchasing agency as soon as possible. If a valid certificate is not submitted on a timely basis for award of a contract, an offer otherwise responsive and responsible may not receive the award.
5. **Final Payment Requirements.** Contractor is required to submit a tax clearance certificate for final payment on the contract. A tax clearance certificate, not over two months old, with an original green certified copy stamp, must accompany the invoice for final payment on the contract.

In addition to a tax clearance certificate an original "Certification of Compliance for Final Payment" (SPO Form-22), attached, Exhibit E, will be required for final payment. A copy of the Form is also available at www.spo.hawaii.gov. Select "Forms for Vendors/Contractors" from the Procurement of Goods, Services and Construction - Chapter 103D, HRS, pop-up menu.

K. **EVALUATION OF PROPOSAL:**

The Procurement Officer, or an evaluation committee of at least three (3) State employees selected by the Procurement Officer shall evaluate the proposals. The evaluation will be based solely on the evaluation criteria set out in this RFP.

Discussions may be conducted with firms, or individuals determined to be priority listed Offerors pursuant to Section 3-122-53 HAR. Priority-listed proposals from Offerors with the highest ranked proposal of those acceptable or potentially acceptable. However, proposals may be accepted without such discussions.

If during discussions there is a need for any substantial clarification or change in the RFP, the RFP shall be amended by an addendum to incorporate such clarification or change. Addenda to the RFP shall be distributed only to priority listed Offerors. These Offerors shall be permitted to submit new proposals or to amend those submitted.

The date and time for Offerors to submit their best and final offers, if necessary, will be determined and made known. If Offeror does not submit a notice of withdrawal or another best and final offer, the Offeror's immediately previous offer will be considered as their best and final offer.

The STATE's acceptance of offer, if any, will be made within ninety (90) calendar days after opening of proposals. Unless extended by mutual agreement, the Offeror's proposal shall remain firm for the ninety (90) day period.

L. PROPOSAL AS PART OF THE CONTRACT

Part or all of this RFP and the successful proposal may be incorporated into the contract.

STATE OF HAWAII
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM
STRATEGIC INDUSTRIES DIVISION

TECHNICAL ASSISTANCE FOR COMMISSIONING AND RETROCOMMISSIONING

SOLICITATION No. RFP- 07-05-SID

PROPOSAL REQUIREMENTS

PROPOSAL REQUIREMENTS –FOR OFFERORS SUBMITTING A PROPOSAL FOR TECHNICAL ASSISTANCE FOR COMMISSIONING AND RETROCOMMISSIONING

A. SUBMISSION REQUIREMENTS – Failure to comply with any of these requirements may be grounds for rejection of the proposal.

1. Offeror is requested to submit its exact legal name as registered with the Department of Commerce and Consumer Affairs (DCCA), if applicable, and to indicate exact legal name in the appropriate space on Offer Form OF-1, Exhibit A. Failure to do so may delay proper execution of the contract.

The authorized signature on the Offer Form shall be an original signature in ink. If unsigned or the affixed signature is a facsimile or a photocopy, the offer shall automatically be rejected unless accompanied by other material, containing an original signature, indicating the Offeror's intent to be bound.

Hawaii business. A business entity referred to as "Hawaii business" is registered and incorporated or organized under the laws of the State of Hawaii.

Compliant non-Hawaii business. A business entity referred to as a "compliant non-Hawaii business" is not incorporated or organized under the laws of the State of Hawaii but is registered to do business in the State.

2. The Original plus seven (7) copies (total – eight (8) copies) of the proposal shall be submitted in a sealed envelope to:
DBEDT, State of Hawaii
Administrative Services Office/Contracts
No. 1 Capitol District
250 So. Hotel St., 5th Floor, Room 504
Honolulu, HI 96813
3. The original proposal shall be clearly marked "ORIGINAL" on the upper right hand corner of the cover page and have original signature, and copies shall be clearly marked "COPY." If possible, blue ink is preferred. It is imperative that the Offerors submit only one original and the required number of copies. **DO NOT SUBMIT MORE THAN ONE ORIGINAL.** The State will not provide any reimbursement for the cost of developing, submitting, or evaluating any proposals in response to the RFP.

Offerors are encouraged to submit typewritten offers. If handwritten, it should be clearly printed. Offeror is cautioned that illegible offers of any item(s) may be automatically rejected to avoid any errors in interpretation by the reviewers during the evaluation process.

Costs for developing the proposal are solely the responsibility of the Offeror, whether or not any award results from this solicitation. The State of Hawaii will not reimburse such costs.

4. "Solicitation No. RFP-07-05-SID" shall be referenced on the outside of the sealed proposals. Facsimiles shall not be accepted.
5. **The Administrative Services Office/Contracts must receive sealed proposals no later than the date indicated in the Significant Dates Section of the RFP. Proposals shall be timed-stamped with the Administrative Services Office/Contracts time clock upon receipt. Late proposals shall not be accepted. The Administrative Services Office/Contracts' time clock shall serve as the official time.**
6. Offerors are cautioned to make prior arrangements to ensure delivery by the proposed due date. Offers received after the deadline shall be returned unopened.
7. Offerors are to complete and submit the section entitled "Proposal."

B. OFFEROR'S COVENANTS AND QUALIFICATIONS

1. Proposals shall include completed proposal pages in the section entitled "Proposal". Remove, complete, and submit the appropriate number of copies of the entire section entitled, "Proposal."
2. The proposal must be signed by an authorized representative and a corporate resolution or evidence of authorization to bind must be attached.
3. **PLEASE NOTE: The name of the organization filing the proposal must match the name which is either legally registered with the Hawaii DCCA for Hawaii corporations, partnerships, or trade names; or the Department of Taxation for sole proprietors who do not have registered trade names with the DCCA. An out-of-state organization must be legally registered with its appropriate state. Should the proposal include more than one entity or should the offeror anticipate work to be performed through subcontracts, please list all entities or subcontractors and their respective roles in the project.**

C. PROJECT PROPOSAL

The project proposal shall include, but not be limited to:

1. Scope of Work.
 - a. A detailed plan to effectively carry out the tasks described in the "Statement of Work," paragraph B, "Scope of Work."
2. Time Schedule.
 - a. Services shall begin upon the effective date of the contract and shall be completed within 24 months. Unless sooner terminated as herein provided by the General Conditions, this Agreement may be extended by the STATE or by CONTRACTOR request. The CONTRACTOR shall submit any extension request in writing for STATE approval a minimum of sixty (60) calendar days prior to the termination of the Agreement. Said request shall provide detailed reasons for the extension. If the STATE approves the extension request, a supplemental agreement shall be executed by both parties in accordance with the Attorney General's General Conditions. The CONTRACTOR shall not be entitled to any additional compensation to complete the work described in the Agreement.
 - b. The Contractor shall be required to obtain a current tax clearance from the State of Hawaii, Department of Taxation and the Internal Revenue Service prior to entering into a contract with the State and again to receive final payment. Offerors are encouraged to immediately apply for a tax clearance, and if possible, to submit their tax clearance with their proposal. A tax clearance application is attached. See paragraph J., "Method of Award and Contractor Requirements" of the Special Provisions for more detailed information.
3. Compensation
 - a. The award shall be made on a firm, fixed fee, including all taxes.
 - b. Only Proposals priced at or below \$175,000 shall be considered.
 - c. Offeror shall provide at least \$20,000 in in-kind cost share; sources and amounts of cost shares shall be clearly specified in the Offeror's budget.
 - d. The proposal shall be priced and shall include a budget for all tasks in the "Statement of Work," Paragraph B., "Scope of Work".

- e. Payments shall be made upon submission of an original invoice and in accordance with predetermined progress payments contingent on STATE's approval of specified deliverables.
- f. The Offeror's budget for the project shall be prepared by category, detailing firm-fixed hourly rates which shall include all benefits, as applicable to appropriate personnel classifications. Overhead, travel, printing, other costs and taxes shall be accounted for separately. Benefits, overhead and profit rates shall be provided. A separate budget shall be prepared for in-kind/cost share support by category and task.

STATE OF HAWAII
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM
STRATEGIC INDUSTRIES DIVISION

TECHNICAL ASSISTANCE FOR COMMISSIONING AND RETROCOMMISSIONING

SOLICITATION No. RFP-07-05-SID

PROPOSAL

OFFERORS ARE TO COMPLETE AND SUBMIT THIS SECTION FOR THEIR PROPOSALS.

PROPOSAL

TECHNICAL ASSISTANCE FOR COMMISSIONING AND RETROCOMMISSIONING Solicitation No. RFP-07-05-SID

PROPOSAL

Department of Business, Economic Development and Tourism
Administrative Services Office/Contracts
No. 1 Capitol District, 5th Floor, Room 504
250 So. Hotel Street
Honolulu, HI 96813

The undersigned has carefully read and understands the terms, conditions and requirements specified in the Request for Proposal attached hereto and hereby submits the following proposal to perform the work specified herein, all in accordance with the true intent and meaning thereof.

The undersigned further understands and agrees to the following:

- That by submitting this proposal, the undersigned is declaring that this proposal is not in violation of Chapter 84, Hawaii Revised Statutes, concerning prohibited State contracts;
- That by submitting this proposal, the undersigned is declaring that the proposal is being made without collusion with any other person, firm or corporation;
- That the Director of the Department of Business, Economic Development, and Tourism reserves the right to cancel the Request for Proposal at any time and all proposals may be rejected in whole or in part when it is in the best interest of the State;
- That discussions may be conducted with offerors who submit proposals determined to be reasonably susceptible of being selected for award, but a proposal may be accepted without such discussions;
- That the undersigned may be required to submit best and final offers based on discussion;
- That award, if any, will be made on a firm, fixed fee basis to the responsive and responsible offeror who has submitted the most advantageous offer in accordance with the evaluation criteria set forth in this Request for Proposal;
- That by submitting this proposal, the undersigned is declaring that if awarded a contract, the undersigned will comply with all requirements for wages, hours and working conditions in accordance with Section 103-55, Hawaii Revised Statutes; and

- That if awarded a contract, the undersigned hereby commits to a minimum of two consultation sessions with the State.

The undersigned acknowledges receipt of any addendum issued by the Department of Business, Economic Development, and Tourism by recording in the space below the date of receipt:

Addendum No. 1 _____ Addendum No. 2 _____

Addendum No. 3 _____ Addendum No. 4 _____

The undersigned hereby certifies that the proposal hereby attached has been carefully checked and is submitted as correct.

Respectfully submitted,

Exact Legal Name of Offeror (company name)

Authorized signature (attach corporate resolution or evidence of authorization to bind)

Title

Date

Street Address

City, STATE, Zip Code

Telephone No.

Mailing Address (if different from street address)

State of Hawaii General Excise Tax (GET) License Number: _____

Federal Taxpayer Identification Number: _____

Type of Organization:

_____ Individual _____ Partnership _____ Corporation _____ Joint Venture

If offeror is a "dba" or a division of a corporation, furnish the exact legal name of the corporation under which the contract, if awarded, will be executed:

State of Incorporation: Hawaii _____ Other: _____

PREFERENCES:

The following preferences apply to this solicitation. A detailed discussion of each preference is included in the section entitled, "Special Provisions." Indicate which preferences apply.

1. In-state contractor preference: yes_____ no_____

If yes, indicate State of Hawaii business street address: _____

If yes, attach current (issued within 45 days of bid submittal) tax clearance from the State of Hawaii Department of Taxation.

(Note: The bidder may wish to also obtain tax clearance from the Internal Revenue Service at the same time in order to fulfill this requirement if awarded a contract)

2. Tax Adjustments:

Are you an out-of-state business? yes_____ no_____

Is your organization tax exempt? yes_____ no_____

3. Reciprocal Preferences:

List your principal place of Business:

Street address, City, State, Zip Code

Are you registered with the State of Hawaii, Department of Commerce and Consumer Affairs to do business in the State of Hawaii? yes_____ no_____

QUALIFICATION QUESTIONNAIRE

1. How many years has your organization been in business under your present business name?

2. How many years experience in this field of work has your organization had?

3. Show what projects your organization has completed in the past five (5) years that are related to this project:

Name and Address of Project Owner	Description	Contract Amount	Completion Date

4. Have you ever failed to complete any work awarded to you?

If so, please provide a brief description, including when and where it took place and why work was not completed.

5. Has any officer or partner of your organization in the past five (5) years been an officer, partner or individual of some other organization that failed to complete a contract?

If so, state name of individual, other organization and reason therefore:

6. For what entities within the State of Hawaii other than government agencies have you performed work and to whom do you refer?

Agency	Project Description	Contact Person	Phone

7. For what State departments and county agencies of the State of Hawaii have you performed work and to whom do you refer?

Department	Project Description	Contact Person	Phone

8. Have you performed work for the U.S. Government? _____
If so, list and to whom do you refer?

Agency	Project Description	Contact Person	Phone

9. Have you ever performed any work for any other governmental agencies outside the State of Hawaii?

If so, list and to whom do you refer?

Agency	Project Description	Contact Person	Phone

10. List a minimum of three references for work performed similar to this project.

Company	Project Description	Contact Person	Phone

11. What is the professional or project experience of the principal individuals being assigned to this project?

Individual's Name	Position or Title	Years Experience	Type of Work

CORPORATE RESOLUTION

Attach here:

1. Corporate resolution or written authorization of offeror's representative to sign this proposal here.

STATE OF HAWAII
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM
STRATEGIC INDUSTRIES DIVISION

TECHNICAL ASSISTANCE FOR COMMISSIONING AND RETROCOMMISSIONING

SOLICITATION No. RFP-07-05-SID

EXHIBIT A – OFFER FORM OF-1

EXHIBIT A

Department of Business, Economic Development, and Tourism
Administrative Services Office / Contracts
No. 1 Capitol District
250 So. Hotel Street, 5th Floor, Room 504
Honolulu, Hawaii 96813

Dear Ms. Eileen Harada:

The undersigned has carefully read and understands the terms and conditions specified in the Specifications and Special Provisions attached hereto, and in the General Conditions, Form 4/15/96, by reference made a part hereof and available upon request; and hereby submits the following offer to perform the work specified herein, all in accordance with the true intent and meaning thereof. The undersigned further understands and agrees that by submitting this offer, 1) he/she is declaring his/her offer is not in violation of Chapter 84, Hawaii Revised Statutes, concerning prohibited State contracts, and 2) he/she is certifying that the price(s) submitted was (were) independently arrived at without collusion.

The undersigned represents that it is: (Check **✓** one only)

- ☐ A **Hawaii business** incorporated or organized under the laws of the State of Hawaii; **OR**
☐ A **Compliant Non-Hawaii business** not incorporated or organized under the laws of the State of Hawaii, is or shall be registered at the State of Hawaii, Department of Commerce and Consumer Affairs Business Registration Division (DCCA-BREG) to do business in the State of Hawaii.

State of incorporation: _____

Offeror is:

☐ Sole Proprietor ☐ Partnership ☐ Corporation ☐ Joint Venture ☐ Other _____

Federal I.D. No.: _____

Hawaii General Excise Tax License I.D. No.: _____

Payment address (other than street address below): _____

City, State, Zip Code: _____

Business address (street address): _____

City, State, Zip Code: _____

Respectfully submitted:

(x) _____
Authorized (Original) Signature

Date: _____

Telephone No.: _____

Name and Title (Please Type or Print)

Fax No.: _____

* _____
Exact Legal Name of Company (Offeror)

E-mail Address: _____

*If Offeror is a "dba" or a "division" of a corporation, furnish the exact legal name of the corporation under which the awarded contract will be executed:

STATE OF HAWAII
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM
STRATEGIC INDUSTRIES DIVISION

TECHNICAL ASSISTANCE FOR COMMISSIONING AND RETROCOMMISSIONING

SOLICITATION No. RFP-07-05-SID

EXHIBIT B – TAX CLEARANCE

STATE OF HAWAII — DEPARTMENT OF TAXATION
TAX CLEARANCE APPLICATION
 PLEASE TYPE OR PRINT CLEARLY

1. APPLICANT INFORMATION: (PLEASE PRINT CLEARLY)

Applicant's Name _____
 Address _____
 City/State/Zip Code _____
 DBA/Trade Name _____

2. TAX IDENTIFICATION NUMBER(S): (Complete applicable ID numbers)

FEDERAL EMPLOYER ID # _____
 (FEIN)
 SOCIAL SECURITY #(SSN) _____

3. APPLICANT IS A/AN: (CHECK ONLY ONE BOX)

- ☐ CORPORATION ☐ S CORPORATION ☐ TAX EXEMPT ORGANIZATION
☐ INDIVIDUAL ☐ PARTNERSHIP ☐ ESTATE ☐ TRUST
☐ LIMITED LIABILITY COMPANY ☐ LIMITED LIABILITY PARTNERSHIP
☐ Single Member LLC disregarded as separate from owner; enter owner's FEIN/SSN _____

4. THE TAX CLEARANCE IS REQUIRED FOR:

- ☐ CITY, COUNTY, OR STATE GOVERNMENT CONTRACT IN HAWAII * ☐ LIQUOR LICENSE *
☐ REAL ESTATE LICENSE ☐ CONTRACTOR LICENSE ☐ BULK SALES
☐ FINANCIAL CLOSING ☐ PROGRESS PAYMENT ☐ PERSONAL
☐ HAWAII STATE RESIDENCY ☐ FEDERAL CONTRACT ☐ LOAN
☐ SUBCONTRACT ☐ OTHER _____

* IRS APPROVAL STAMP IS ONLY FOR PURPOSES INDICATED BY ASTERISK.

5. NO. OF CERTIFIED COPIES REQUESTED:

☐

6. SIGNATURE:

PRINT NAME

PRINT TITLE: Corporate Officer, General Partner or Member, Individual (Sole Proprietor), Trustee, Executor

SIGNATURE

DATE

() -
 TELEPHONE

() -
 FAX

POWER OF ATTORNEY. If submitted by someone other than a Corporate Officer, General Partner or Member, Individual (Sole Proprietor), Trustee, or Executor, a power of attorney (State of Hawaii, Department of Taxation, Form N-848) must be submitted with this application. If a Tax Clearance is required from the Internal Revenue Service, IRS Form 8821, or IRS Form 2848 is also required. Applications submitted without proper authorization will be sent to the address of record with the taxing authority. UNSIGNED APPLICATIONS WILL NOT BE PROCESSED.
PLEASE TYPE OR PRINT CLEARLY — THE FRONT PAGE OF THIS APPLICATION BECOMES THE CERTIFICATE UPON APPROVAL.
SEE PAGE 2 ON REVERSE & SEPARATE INSTRUCTIONS. Failure to provide required information on page 2 of this application or as required in the separate instructions to this application will result in a denial of the Tax Clearance request.

FOR OFFICE USE ONLY

BUSINESS START DATE IN HAWAII
 IF APPLICABLE
 / /

HAWAII RETURNS FILED
 IF APPLICABLE
 20____ 20____ 20____

STATE APPROVAL STAMP

*IRS APPROVAL STAMP

CERTIFIED COPY STAMP

7. **CITY, COUNTY, OR STATE GOVERNMENT CONTRACT:** ☐ Bid/Entering Into a Contract ☐ Completion/Final Payment
For completion/final payment of contract, please provide the name and telephone number of the contact person at the State or County Agency.
Name: _____ Telephone Number: _____

8. **LIQUOR LICENSING:** ☐ Initial ☐ Renewal ☐ Transfer-Seller ☐ Transfer-Buyer ☐ Special Event
9. **CONTRACTOR LICENSING:** ☐ Initial ☐ Renewal
10. **STATE RESIDENCY:** DATE APPLICANT ARRIVED IN HAWAII _____
11. **ACCOUNTING PERIOD:** ☐ Calendar year ☐ Fiscal year ending _____ (MM/DD)

12. **TAX EXEMPT ORGANIZATION:**

A) Provide the Internal Revenue Code Section that applies to your exemption. _____
B) Does your organization file federal Form 990-T, Exempt Organization Business Income Tax Return? ☐ YES ☐ NO

13. **CORPORATION:** Parent's Corporation Name _____ FEIN _____
14. **INDIVIDUAL:** Spouse's Name _____ SSN _____

15. **IF YOU DO NOT HAVE A GENERAL EXCISE TAX LICENSE AND REQUIRE A TAX CLEARANCE FOR A GOVERNMENT CONTRACT:**
A) Has your firm had any business income in Hawaii prior to the Bid? ☐ YES ☐ NO
B) Does your firm have an office, inventory, property, employees, or other representatives in the State of Hawaii? ☐ YES ☐ NO
C) Has your firm provided any services within the State of Hawaii? ☐ YES ☐ NO

16. **FILING THE APPLICATION FOR TAX CLEARANCE:**

The completed application may be mailed, faxed, or submitted in person to the Department of Taxation, Taxpayer Services Branch. Applications which require an Internal Revenue Service Tax Clearance will be forwarded to the Internal Revenue Service after processing is completed by the Department of Taxation. Allow up to 10 to 15 business days for processing between the Department of Taxation and the Internal Revenue Service.

State Dept. of Taxation
TAXPAYER SERVICES BRANCH
P.O. BOX 259
HONOLULU, HI 96809-0259
TELEPHONE NO.: 808-587-4242
TOLL FREE: 1-800-222-3229
FAX NO.: 808-587-1488
or
830 PUNCHBOWL STREET, RM 124
HONOLULU, HI 96813-5094

Internal Revenue Service
WAGE & INVESTMENT DIVISION
-TC M/S H214
FIELD ASSISTANCE GROUP 562
300 ALA MOANA BLVD., #50089
HONOLULU, HI 96850
TELEPHONE NO.: 808-539-1555
FAX NO.: 808-539-1573
or
TAXPAYER ASSISTANCE CENTER
HONOLULU:
300 ALA MOANA BLVD., RM 1-128

Applications are available at Department of Taxation and IRS offices in Hawaii, and may also be requested by calling the Department of Taxation's Forms By Fax/Mail request line on Oahu at 808-587-7572 or toll-free at 1-800-222-7572. The Tax Clearance Application, Form A-6, can be downloaded from the Department of Taxation's website (www.hawaii.gov/tax).

----- FOR OFFICE USE ONLY -----

TYPE OF TAX	TAX RETURNS FILED STATUS	Clerk's Initials	ITEMS RECEIVED
INCOME			
GENERAL EXCISE/USE			
HAWAII WITHHOLDING			
TRANSIENT ACCOMMODATIONS			
RENTAL MOTOR /TOUR VEHICLE			
UNEMPLOYMENT INSURANCE			
OTHER TAXES			

STATE OF HAWAII

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM
STRATEGIC INDUSTRIES DIVISION

TECHNICAL ASSISTANCE FOR COMMISSIONING AND RETROCOMMISSIONING

SOLICITATION No. RFP-07-05-SID

EXHIBIT C – DLIR APPLICATION



STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
**INSTRUCTION SHEET FOR FORM LIR#27 APPLICATION FOR
CERTIFICATE OF COMPLIANCE WITH SECTION 3-122-112, HAR**

Purpose

The State and County Government Purchasing Offices require vendors to submit a completed copy of this certificate. **Page 1** of this application becomes the Certificate of Approval. Facsimiles and copies of this approval form are proof of compliance. This certificate applies to the Hawaii Unemployment Insurance, Workers' Compensation, Temporary Disability Insurance, and Prepaid Health Care programs.

Applications are available at the addresses below and can be downloaded from the Department of Labor and Industrial Relations' (DLIR) web site (www.hawaii.gov/labor). From the DLIR web site, Form LIR#27 is listed under the Unemployment Insurance Division and Disability Compensation Division.

DO NOT SUBMIT THIS PAGE

Approved, Not Applicable, or Pending certificates are valid for 6 months.

Date submitted to the DLIR _____ (for your use)
Allow up to a total of seven (7) business days for processing.

**FILING INSTRUCTIONS FOR THE
APPLICATION FOR CERTIFICATE OF COMPLIANCE WITH SECTION 3-122-112, HAR
Form LIR#27 (Rev. 10/05)**

SUBMIT (mail, fax, or deliver) completed application only to the Department of Labor and Industrial Relations, Unemployment Insurance Division*.

*Unemployment Insurance Division
830 Punchbowl Street, Room 437
Honolulu, Hawaii 96813
Ph: (808) 586-8926
Fax: (808) 586-8929

INQUIRIES regarding the status of an application submitted seven (7) business days earlier should be directed to the Disability Compensation Division** (Workers' Compensation, Temporary Disability Insurance, and Prepaid Health programs).

**Disability Compensation Division
830 Punchbowl Street, Room 209
Honolulu, Hawaii 96813
Ph: (808) 586-9200
Fax: (808) 586-9206

The Approved, Not Applicable, or Pending certificate of approval will be faxed to the applicant by the Disability Compensation Division. Non-compliant applicants will receive Form LIR#27A instructing the applicant to contact the appropriate program(s).



STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
**FORM LIR#27 APPLICATION FOR
CERTIFICATE OF COMPLIANCE WITH SECTION 3-122-112, HAR**

1. APPLICANT INFORMATION: (Please Type or Print Clearly)

*Applicant's Business Name			
Address	City	State	Zip Code
DBA/Trade Name			

* Business name must be the same name submitted with the applicant's bid or proposal.

2. IDENTIFICATION NUMBER(S): (Complete Applicable ID Numbers)

State Department of Labor Unemployment Insurance ID#	Federal Employer ID# (FEIN)
------------------------------------------------------	-----------------------------

3. EMPLOYERS: If you have a State Department of Labor Unemployment Insurance ID#, please skip question 3 only:

Do you currently have employee(s) working in the State of Hawaii? <input type="checkbox"/> Yes <input type="checkbox"/> No	Do you plan to have employee(s) work in the State of Hawaii? <input type="checkbox"/> Yes <input type="checkbox"/> No
-------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------

SEE INSTRUCTION SHEET FOR FILING INSTRUCTIONS. Failure to provide above required information on this application will result in a denial of this request. Unsigned applications will not be processed.

4. SIGNATURE:

Signature	Date	Telephone No. ()	Fax No. ()
Print Name	PRINT TITLE: Corporate Officer, General Partner or Member, Individual (Sole Proprietor), Trustee, Executor		
Email Address			

NOTE: If this application is stamped "PENDING", another LIR#27 must be submitted when employees are performing services in the State to determine compliance with the State of Hawaii labor laws. Approval constitutes a certificate of compliance with labor laws based on information available to the Department as of the approval date.

THIS APPLICATION BECOMES THE CERTIFICATE UPON APPROVAL.

Facsimiles and copies of this approval form are proof of compliance.

FOR OFFICE USE ONLY		Department of Labor and Industrial Relations Approval Stamp
DLIR Log No.	Date Received	

This certificate is valid for **SIX (6) MONTHS** from the approval date.

STATE OF HAWAII

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM
STRATEGIC INDUSTRIES DIVISION

TECHNICAL ASSISTANCE FOR COMMISSIONING AND RETROCOMMISSIONING

SOLICITATION No. RFP-07-05-SID

EXHIBIT D – HAWAII ADMINISTRATIVE RULES

resources and expertise available, or the ability to obtain them, in order to meet contractual requirements;

- (3) References for the determination of a satisfactory record of performance;
- (4) References for the determination of a satisfactory record of integrity;
- (5) Legal qualifications to contract with the State; and
- (6) Additional information necessary for a determination of responsibility. [Eff 12/15/95; comp 11/17/97; comp
APR 18 2005] (Auth: HRS §§103D-202, 103D-310) (Imp: HRS §103D-310)

§3-122-110 REPEALED. [R 7/25/02]

§3-122-111 Notice of intent to offer. (a) When required by the solicitation, a prospective offeror shall file a written notice of intent to offer, subject to the following:

- (1) The notice shall be received not less than ten days prior to the deadline for receipt of offers.
- (2) The notice may be submitted by facsimile, pursuant to section 3-122-9, and the date of receipt as evidenced by the procurement officer's transaction receiving report, shall determine timeliness of the notice.

(b) A notice of intent to offer may be waived in the case of a single offer when the procurement officer determines that acceptance is in the best interest of the public and the basis for the acceptance is explained in the written determination. [Eff and comp APR 18 2005] (Auth: HRS §§103D-202, 103D-310) (Imp: HRS §103D-310)

§3-122-112 Responsibility of offerors. (a) The offeror, as proof of compliance with the requirements of section 103D-310(c), HRS, upon award of a contract made pursuant to section 103D-302, 103D-303, 103D-304, 103D-305 or 103D-306, HRS, shall provide:

- (1) A tax clearance certificate from the department of taxation and the Internal Revenue Service, subject to section 103D-328,

HRS, current within six months of issuance date;

- (2) A certificate of compliance for chapters 383, 386, 392, and 393, HRS, from the department of labor and industrial relations, current within six months of issuance date; and

- (3) A certificate of good standing from the business registration division of the department of commerce and consumer affairs, current within six months of issuance date.

(b) In lieu of the above certificates, offeror may make available proof of compliance through a State Procurement Office designated certification process.

(c) For the purpose of this section, a business registered to do business in the State as a separate branch or division means a business that is required to be registered with the department of commerce and consumer affairs.

(d) All state and county procurement officers or agents shall withhold final payment of a contract made pursuant to sections 103D-302, 103D-303, 103D-304, or 103D-306, and shall not apply to any contract of less than \$25,000 or any contract entered into pursuant to section 103D-305 or 103D-307, until receipt of:

- (1) A tax clearance certificate from the director of taxation and the Internal Revenue Service, subject to section 103D-328, HRS, current within two months of issuance date; and a certification from the contractor affirming that the contractor has, as applicable, remained in compliance with all laws as required by this section. A contractor making a false affirmation shall be suspended and may be debarred pursuant to section 103D-702, HRS; or

- (2) Proof of compliance as provided in subsection (b).

(e) This section shall not apply to any contract to the extent it jeopardizes federal funding. [Eff and comp APR 18 2005] (Auth: HRS §§103D-202, 103D-310) (Imp: HRS §103D-310)

§§3-122-113 to 3-122-115 (Reserved).

SUBCHAPTER 14

STATE OF HAWAII

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM
STRATEGIC INDUSTRIES DIVISION

TECHNICAL ASSISTANCE FOR COMMISSIONING AND RETROCOMMISSIONING

SOLICITATION No. RFP-07-05-SID

EXHIBIT E – CERTIFICATE FOR FINAL PAYMENT (SPO FORM 22)

CERTIFICATION OF COMPLIANCE FOR FINAL PAYMENT
(Reference §3-122-112, HAR)

Reference: _____
(Contract Number) (IFB/RFP Number)

_____ affirms it is in
(Company Name)
compliance with all laws, as applicable, governing doing business in the State of Hawaii to
include the following:

1. Chapter 383, HRS, Hawaii Employment Security Law – Unemployment Insurance;
2. Chapter 386, HRS, Worker's Compensation Law;
3. Chapter 392, HRS, Temporary Disability Insurance;
4. Chapter 393, HRS, Prepaid Health Care Act; and

maintains a "Certificate of Good Standing" from the Department of Commerce and Consumer Affairs, Business Registration Division.

Moreover, _____
(Company Name)
acknowledges that making a false statement shall cause its suspension and may cause its
debarment from future awards of contracts.

Signature: _____

Print Name: _____

Title: _____

Date: _____